

Rice Pesticides Program 2005

**Date
established**

March 28, 2005

Enclosure to

ENF 05-15

Distribution

County Agricultural Commissioners

Referrals

If you have any questions pertaining to this letter or enclosure, please contact the Enforcement Branch Liaison assigned to your county.

Approval

Original signature by:

Scott T. Paulson, Chief
Enforcement Branch
(916) 324-4100

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Rice Pesticides Program 2005, Continued

Introduction

Enclosed are the 2005 recommended permit conditions for rice pesticides:

- Handler Worker Safety
 - Molinate (Ordram[®])
- Water-Holding
 - Molinate and Thiobencarb
 - General Water-holding Requirements
 - Methyl Parathion
- Drift Mitigation
 - Certain Rice Pesticides
 - Phenoxy/Dicamba
 - Thiobencarb
 - Methyl Parathion

On March 18, 2005, Central Valley Regional Water Quality Control Board (CVRWQCB) approved Resolution No. R5-2005-51 requiring continued management practices for rice pesticides. The CVRWQCB will e-mail the final resolution to the rice counties when it is available. You may consider it as Enclosure A.

Cooperation between DPR and CVRWQCB

The Department of Pesticide Regulation (DPR) in cooperation with the CVRWQCB developed recommended permit conditions to meet water quality management objectives for Molinate, Thiobencarb, Methyl Parathion, and Malathion. These conditions reflect management practices required by current Board Resolution. DPR and CVRWQCB believe that use of these permit conditions will meet water quality management objectives for these rice pesticides.

Rice Pesticide Water Monitoring and Annual Reporting

CRC responsible for water monitoring and annual reporting

The rice industry, via the California Rice Commission (CRC), will be responsible for leadership in water monitoring, annual reporting to the CVRWQCB, and coordinating the participation of all program stakeholders.

- The rice industry is ultimately responsible for meeting water quality objectives.
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Rice Pesticides Program 2005, Continued

**CRC
responsible
for water
monitoring and
annual
reporting
(continued)**

- DPR, as a co-regulator with the water boards, will continue to use its authority to regulate the sales and use of pesticides to address water quality issues involving pesticides. DPR will continue to actively participate with CVRWQCB and the rice industry staff to address rice pesticide issues.
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Molinate Voluntary Cancellation - Status

**Voluntary
cancellation by
registrants**

On September 17, 2003, U. S Environmental Protection Agency (EPA) issued a Federal Register notice announcing receipt of requests for voluntary cancellation of registered products containing the herbicide molinate. The sale and distribution of molinate products will be phased out during the next four years and use of molinate will end on August 31, 2009. This phase-down period will allow rice growers time for transition to registered alternatives to molinate and any new alternatives that may be developed.

Molinate Worker Safety Requirements

**Updated last
year**

The recommended 2005 molinate permit conditions specify personal protective equipment (PPE) required in addition to what is required by the two Ordram labels to adequately protect handlers from molinate exposure. Enclosure B is a one-page summary that summarizes PPE required by the Ordram[®] 15-GM and Ordram 8-E labels and PPE that is required by the recommended molinate permit conditions.

Water Management Requirements for Molinate and Thiobencarb

**Unchanged
from last year**

The recommended 2005 molinate and thiobencarb water-holding permit conditions (page 6 through 14) remain unchanged.

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Rice Pesticides Program 2005, Continued

Methyl Parathion Water Management Requirement

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| Unchanged from last year | The recommended methyl parathion water-holding permit conditions (page 15) remain unchanged. |
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Seepage Mitigation Requirements

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| Seepage control | CVRWQCB has concern about thiobencarb seepage. DPR has developed recommended permit conditions (page 16) to mitigate potential lateral movement (seepage) of rice pesticides from rice fields. |
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| Seepage defined | The American Society of Agricultural Engineer's Standard section 5226.2 defines seepage as, "Water escaping below or out from water conveyance facilities, such as open ditches, canals, natural channels, and waterways." |
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For purposes of mitigating seepage in rice production:

- Seepage is lateral movement of irrigation water through a rice field levee or border to an area outside the normally flooded production area.
 - Seepage can occur through levees into adjacent dry fields or into adjacent drains and canals.
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| Seepage documentation | For 2005, DPR requests that county agricultural commissioners (CACs) continue monitoring for seepage when inspecting for water-holding compliance by: |
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- Checking for seepage, or collection of seepage, that occurs through the outer borders of a field or the bottom border located at the lowest part of the field.
 - Using the water-holding inspection logs to document seepage observations. The Pesticide Use Monitoring Inspection Form (PR-ENF-104) may also be used to document seepage observations. Indicate "water-hold inspection" on the blank line under "application inspection."
 - Document in the "Remarks" section on either form: Seepage flow less than five gallons per minute, or seepage flow more than five gallons per minute.
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Rice Pesticides Program 2005, Continued

Enforcement action for all water-holding violations

DPR requests the rice counties in the Sacramento Valley take enforcement action against all growers for first time and repeat violations of water-holding permit conditions.

- Any visible seepage, moving offsite during the water-holding period that drains into waters of the State, is considered an early release and is a water-holding violation.

Reporting water-hold/seepage inspection data and enforcement actions to CRC

Please report all “completed” water-holding enforcement actions to the CVRWQCB within 30 days after enforcement action is completed. Send enforcement actions to Ms. Amanda Smith, Central Valley Regional Water Quality Control Board, Central Valley Region 11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114.

- CACs should expect to receive a request from the CRC for water-hold and seepage inspections and enforcement actions. This information will be used by the CRC to compile its report to the CVRWQCB as required by the Board’s resolution. CACs are encouraged to provide the requested information to the CRC as expeditiously as possible in the format requested.

Brochure

Please continue to distribute the brochure, *Seepage Water Management, Voluntary Guidelines for Good Stewardship in Rice Production*, Publication 21568, to growers at the time of permit issuance.

Drift Minimization Requirements

Mitigation measures

The recommended drift minimization permit conditions (page 18) should be used for all pesticides designated as restricted materials that are applied to rice in the Sacramento Valley.

- The drift control permit conditions reflect DPR’s current direction on drift mitigation.

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Rice Pesticides Program 2005, Continued

Mitigation measures continued

- DPR will provide “focused” oversight inspection of thiobencarb aerial applications to monitor thiobencarb drift mitigation requirements.
 - Each CAC is encouraged to continue to give priority to rice inspections during the 2005 growing season taking into account available resources and other required duties.
 - Failure to comply with the drift mitigation permit conditions or any other permit conditions is a violation of Food and Agricultural Code section 12973. CACs may take enforcement action against the applicator and permittee for not complying with conditions of the permit issued by the commissioner.
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Thiobencarb Drift Mitigation Requirements

Mandatory preseason thiobencarb stewardship training

CRC facilitated two preseason Thiobencarb Stewardship Meetings during February 2005. These meetings were held to make growers, pest control advisers, and pest control operators aware of potential thiobencarb drift into agricultural drains, best management practices to minimize thiobencarb drift and 2005 thiobencarb restricted material drift mitigation procedures.

- Restricted material permits for the use of thiobencarb should not be issued to growers who have not received CRC certification that they have attended a Thiobencarb Stewardship Meeting.
 - The CAC may certify a grower that did not attend a Thiobencarb Stewardship Meeting by having them view a video of the preseason Thiobencarb Stewardship Meeting.
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Rice Pesticides Program 2005, Continued

Thiobencarb drift mitigation requirements

The following recommended drift mitigation permit conditions (page 19) are designed to minimize drift of thiobencarb into the Sacramento and Feather Rivers.

- The use of Bolero 10 G formulation is prohibited in the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba.
 - No aerial applications shall be made or continued within 1/2 mile of the Sacramento or Feather rivers in the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba unless there is a continuous positive airflow away from the river.
 - In the Sacramento Valley rice growing counties of Butte, Colusa, Glenn, Placer, Sacramento, Sutter, Tehama, Yolo, and Yuba, no aerial application shall be made or continued within 1/2 mile of the Sacramento or Feather Rivers when the wind speed exceeds seven miles per hour.
 - In Sacramento and Yolo counties, no aerial applications shall be made or continued within 1/4 mile of the Sacramento River unless they are made under the direct supervision of the commissioner's representative.
 - In Sacramento and Yolo counties the maximum acres treated by air each day within 1/4 mile of the Sacramento River shall not exceed 33 percent of the average acres treated per day by air within this area in each county during 2002.
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Methyl Parathion Use Status

Currently registered for use

The voluntary cancellation of methyl parathion (Federal Register, Notice FRL-6387-8) on October 27, 1999, canceled specific food/feed crops and non-food uses. The action further required that current methyl parathion registrations (PennCap-M[®], EPA Registration No. 4581-393-ZA, registered by DPR) pertaining to certain food/feed uses on rice be revised.

Buffer zone

In addition to the enclosed recommended drift control permit conditions for rice pesticides, please continue using the recommended methyl parathion water management permit condition (page 20) that prohibits aerial application of liquid formulations of methyl parathion to rice within 300 feet of any agricultural drain unless there is a continuous positive air flow away from the drain.

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Rice Pesticides Program 2005, Continued

Phenoxy/Dicamba Use Status

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| Recommended permit conditions | The status of phenoxy/dicamba use on rice within the Sacramento Valley is unchanged. CACs may refer to the enclosed, <i>Recommended permit conditions for Phenoxy/Dicamba Herbicides</i> (page 21), as recommended permit conditions when issuing restricted material permits for these herbicides. |
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General Information

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| Malathion water management recommendations | <p>CVRWQCB has approved a water management practice (page 22) for malathion applied to rice that will help meet 2005 water quality performance goals for malathion in surface water. Malathion is currently not a restricted material and not subject to permit conditions. However, it is important that growers comply with the following practice:</p> <ul style="list-style-type: none">• All water from fields treated with pesticides containing malathion should be retained on the site of application or contained within a tailwater recovery system, or other system, adequate to prevent discharge to waters of the State for four days following application. |
| Storm Event Work Group | The Communication Plan developed by the Storm Event Work Group in 2004 and updated in 2005 will be utilized in the event of a severe storm occurrence. The Storm Event Work Group will continue to meet as needed. Currently the work group is comprised of staff from the Regional Water Board, DPR, University of California, a reclamation district representative, CACs, and the rice industry. The California Rice Commission will take the lead in facilitating this group. |

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Rice Pesticides Program 2005, Continued

One-page summaries

Enclosure B summarizes the PPE required by Ordram[®] 15-G and Ordram[®] 8-E PPE labeling, and DPR's recommended permit conditions for molinate. Enclosure C summarizes the recommended water-holding permit conditions for molinate and thiobencarb. The summaries can be used as quick references. Please refer to the specific permit conditions and pesticide labeling for a complete explanation of the requirements.

| Topic | See Enclosed |
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| Personal protective equipment required by Ordram labeling and recommended permit conditions for molinate | B |
| Water-holding permit conditions for molinate, thiobencarb, methyl parathion, and malathion | C |

Permit conditions

Please refer to the following recommended permit conditions when issuing 2005 permits:

| Topic | See Page |
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| Molinate Worker Safety Permit Conditions | 1 |
| Molinate Water Management Permit Conditions | 6 |
| Thiobencarb Water Management Permit Conditions | 11 |
| Methyl Parathion Water Management Permit Conditions | 15 |
| General Water-Holding Permit Conditions | 16 |
| Pesticides Applied to Rice in the Sacramento Valley Drift Minimization Permit Conditions | 17 |
| Thiobencarb Drift Minimization Permit Conditions | 19 |
| Methyl Parathion Drift Mitigation Permit Conditions | 20 |
| Phenoxy/Dicamba Herbicides Permit Conditions | 21 |